

REMARKS

Entry of the foregoing and reexamination and reconsideration of the subject application, as amended, pursuant to and consistent with 37 C.F.R. § 1.112, are respectfully requested in light of the following remarks.

Claims 23-44 are pending in this application. Claims 1-22 were previously cancelled.

Claims 23 and 39 have been amended to recite the first generation random microgels comprise a polymer where the polymer comprises one or more thiocarbonylthio groups. Support for this amendment is found in the specification of page 4, lines 18-26 of the specification. No new matter has been added in making these amendments.

Applicants gratefully acknowledge the withdrawal of the rejection of claims 23, 25, 30, 38 and 39 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regards as the invention.

35 U.S.C. §102 prior art rejections

Claims 23-45 have been rejected under 35 U.S.C. §102(b) as being anticipated by WO 98/31739.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." (MPEP 2131).

Claims 23 and 39, the independent claims, have been amended to recite the first generation random microgels comprise a polymer where the polymer comprises

one or more thiocarbonylthio groups. This element is not found in WO 98/31739.

Therefore claims 23-45 are not anticipated by WO 98/31739 because WO 98/31739 the first generation random microgels comprise a polymer where the polymer comprises one or more thiocarbonylthio groups.

Applicants therefore request the withdrawal of this rejection under 35 U.S.C. §102(b).

In the event that there are any questions related to this response, or the application in general, it would be appreciated if the Examiner would telephone the undersigned attorney at the below-listed telephone number concerning such questions so that prosecution of this application may be expedited.

Respectfully submitted,

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